(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3553 of 2003.

PETITIONER : J.P.Singh S/o late R.D.Singh, aged about 50 years, Dy. Manager(Marketing) IBP Co. Ltd., Vinoba Nagar, P.S. Tarbahar, Bilaspur (C.G.).

Versus

RESPONDENTS : 1. The Executive Director (Explosives) I.B.P. CO. Ltd. 34 A, Nirmal Chandra Street, Kolkata-13.

2. The Managing Director, IB.P. Co. Ltd., 34 A, Nirmal Chandra Street Kolkata-13.

3. The Dy. General Manager (Mktg-S.W.) F 25, Ist. Floor, Tatya Tope Nagar, Nagpur -15.

4. Dy.G.M.(HR-C),IBP Co.Ltd.34A Nirmal Chandra Street, Kolkata - 13.

P. R. No. 3292/03
Presented by Shri Shiv Rej Singh
dated 16.10.03

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(14) उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.3553/2003. सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28/11/2003	

Shri Prafulla Bharat, counsel for the petitioner.

By this writ petition under Article 226/227 of the Constitution of India, petitioner has challenged the order dated 15/10/2003 passed by respondent no.3 by which the petitioner has been transferred from the present post to the post of Dy. Manager (Operations) to SMS Unit at Kudremkh, Karnataka.

The petitioner is working as Dy. Manager (Marketing) at Bilaspur in the respondent/company since 17/04/1998 and it has been mentioned that the petitioner's wife died in the month of April, 2002. The petitioner's service record is very good. The sale was 88 tonnes and 36 tonnes upto September, 2003 which have been achieved by the petitioner. The petitioner is harassed due to failure of target of Deputy Manager (Marketing-SW) Nagpur in Grasim Cement and L.&.T. Cement Plant , Raipur. The petitioner is under treatment of Neuro Surgeon, Bilaspur from June, 2002 and he has given representation (Annexure P/3), but there is no response from the authorities.

I have heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner is M.B.A. graduate whereas the post of Dy. Manager (Operations), where the petitioner has been transferred, is meant for Mining Engineer or Chemical Engineer. Therefore, in view of the above requirement of that post, the petitioner may not be able

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 02-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

to perform the duty as per the required standard because the qualification of the petitioner is M.B.A and not Chemical Engineer. He further submits that the petitioner has already made a representation on 16/10/2003, but nothing has been heard so far from the respondents. Therefore, the petitioner may be allowed to make a detailed representation and the respondents may be directed to consider his representation.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievance to respondent no.1, who in turn, will consider the representation of the petitioner and decide the representation within a period of 30 days with a reasoned order.

With the aforesaid observations and directions, the writ petition stands disposed of.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये